

### **REMARKS/ARGUMENTS**

Preliminarily, Applicants wish to thank the Examiner for allowing claims 1 and 3-26. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.


Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,775,45, to Maroney *et al.* ("Maroney") in view of U.S. Patent No. 4,707,076 to Skutnik *et al.* ("Skutnik"). Respectfully, the Examiner has failed to provide a *prima facie* case of obviousness. Specifically, the Examiner has failed to provide a suggestion to combine the teachings of Maroney with the teachings of Skutnik to arrive at Applicants invention. In addition, the Examiner states: "Since Maroney is mute on the jacket material, one of ordinary skill in the art would be motivated to look to prior art for advantageous materials." At best, this statement indicates that the Examiner believes that the coatings in Skutnik would be obvious to try on the photonic crystal fiber of Maroney. However, "obvious to try" is insufficient to establish a *prima facie* case of obviousness. For at least these reasons, Applicants respectfully request reconsideration and withdrawal of this rejection.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

MAYER BROWN ROWE & MAW LLP

By:   
\_\_\_\_\_  
John E. Mauk  
Registration No. 54,579  
Direct No. (202) 263-3255

Paul L. Sharer  
Registration No. 36,004  
Direct No. (202) 263-3340

Intellectual Property Group  
1909 K Street, N.W.  
Washington, D.C. 20006-1101  
(202) 263-3000 Telephone  
(202) 263-3300 Facsimile

Date: November 23, 2005